

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOE C. SIMMONS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:04CV1700-DJS
)	
HENRY M. PAULSON, SECRETARY)	
OF THE TREASURY,)	
)	
Defendant.)	

JUDGMENT

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Counts V and VIII of plaintiff's amended consolidated complaint against defendant Henry M. Paulson are dismissed for failure to state a claim upon which relief may be granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that summary judgment is entered in this action in favor of defendant Henry M. Paulson and against plaintiff Joe C. Simmons on Counts I, II, III, IV, VI, and VII of plaintiff's amended consolidated complaint.

Dated this 31st day of August, 2006.

/s/Donald J. Stohr
UNITED STATES DISTRICT JUDGE